



DEPARTMENT OF EDUCATION

34 CFR Chapter II

[ED-2026-OESE-2113]

**Final Waiver and Extension of the Project Period with Funding—
Elementary and Secondary Education Act of 1965, as Amended,
Title VI, Part B, Native Hawaiian Education**

AGENCY: Office of Elementary and Secondary Education (OESE),
Department of Education.

ACTION: Final waiver and extension of the project period with
funding.

SUMMARY: The Secretary waives the requirements in the Education
Department General Administrative Regulations (EDGAR) that
generally prohibit project period extensions involving the
obligation of additional Federal funds. The final waiver and
extension would allow 21 projects under Assistance Listing
Number (ALN) 84.362A to receive funding for up to one additional
12-month period, not to exceed September 30, 2027.

DATES: This waiver and extension is effective [INSERT DATE OF
PUBLICATION IN THE FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: Joanne Osborne, U.S.

Department of Education, 400 Maryland Avenue SW, Washington, DC
20202-5076. Telephone: (202) 401-1265. Email:
Joanne.Osborne@ed.gov.

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7-1-1.

SUPPLEMENTARY INFORMATION:

Background

Native Hawaiian Education (NHE), authorized under sections 6201-6207 of the Elementary and Secondary Education Act of 1965, as amended (ESEA), authorizes the Secretary to make grants to or enter into contracts with Native Hawaiian organizations and other organizations to support the development of innovative educational programs to assist Native Hawaiians. Under section 6205(a)(2), the Secretary must prioritize awarding grants to entities that propose projects designed to address beginning reading and literacy among students in kindergarten through third grade, the needs of at-risk children and youth, needs in fields or disciplines in which Native Hawaiians are underemployed, and the use of Hawaiian language in instruction. These projects may include one or more of the activities authorized under section 6205(a)(3).

On March 14, 2023, the Department of Education (Department) published in the Federal Register a notice inviting applications (NIA) for new awards for fiscal year (FY) 2023 for the NHE Program (88 FR 15689).

On June 5, 2026, the Department published a notice in the Federal Register (91 FR 34186) proposing a waiver and extension of the project period with funding (proposed waiver and

extension) that would allow 21 FY 2023 grants under ALN 84.362A to receive funding for up to one additional 12-month period, not to exceed September 30, 2027. The proposed waiver and extension contained background information and our reasons for the proposal.

There are no differences between the proposed waiver and extension and this notice of final waiver and extension of the project period with funding (final waiver and extension).

Public Comment: In response to our invitation in the proposed waiver and extension, the Department received 29 comments.

Generally, we do not address technical and other minor changes. In addition, we do not address general comments not directly related to the proposed waiver and extension.

Analysis of Comments and Changes

An analysis of the comments and any changes in the final waiver and extension since publication of the proposed waiver and extension follows.

Of the 29 comments received, all were in support of the waiver.

Comment: All comments received were supportive of the waiver and extension, with no comments opposing the action. Commenters emphasized the additional 12 months of funding is needed to prevent interruptions in service while preserving the continuity of successful NHE projects. Stakeholders highlighted the importance of maintaining early childhood education, teacher preparation, literacy, social-emotional learning, health and

wellness initiatives, and community-based supports that have demonstrated positive outcomes for the students, families, and communities served by NHE projects. Several commenters also noted that a lapse in funding now would disrupt trusted partnerships, result in the loss of experienced educators and staff, and jeopardize long-term educational progress.

Discussion: We appreciate the commenters' support for this waiver.

Changes: None.

Final Waiver and Extension of the Project Period With Funding

In the proposed waiver and extension, we discussed the background and purposes of the NHE program and our reasons for proposing the waiver and extension. As outlined in that document, providing up to 12 additional months of funding would maximize continuity of services to those that the Native Hawaiian Education Program serves and support grantees through an efficient process that enables them to continue operating their current, approved projects for up to 12 additional months.

We have concluded that it would be contrary to the public interest to have a lapse in the work of current NHE program grantees while the Secretary considers changes to the NHE program.

Therefore, the Secretary waives the requirements in 34 CFR 75.261(b)(2), which limits the extension of a project period if the extension involves the obligation of additional Federal funds.

Under this waiver—

(1) Current FY 2023 grantees are authorized to receive continuation determinations and awards annually for one additional 12-month period at an amount consistent with the amount awarded to each grantee in FY 2025.

(2) The Department is not announcing a new competition in FY 2026.

(3) During the extension period, any activities carried out must be consistent with, or be a logical extension of, the scope, goals, and objectives of the grantees' approved application from the FY 2023 NHE program competition.

(4) Each grantee that receives a continuation determination and award must also continue to comply with the requirements established in the statute and the FY 2023 notice inviting applications for the NHE program (88 FR 15689).

The waiver of 34 CFR 75.261(b)(2) will not affect the applicability of the requirements in 34 CFR 75.253 (continuation of a multi-year project after the first budget period) to any current NHE program grantee that receives a continuation award as a result of the waiver.

Intergovernmental Review

This action is subject to Executive Order 12372 and the regulations in 34 CFR part 79.

Regulatory Flexibility Act Certification

The Secretary certifies that the final waiver and extension would not have a significant economic impact on a

substantial number of small entities.

The entities that would be affected by this final waiver and extension are:

(a) The FY 2023 grantees currently receiving NHE program funds; and

(b) Entities that otherwise would have been eligible to apply for an award in FY 2026 under the NHE program if the Department had held that competition.

The extension of an existing project period imposes minimal compliance costs, and the activities required to support the additional year of funding would not impose additional regulatory burdens or require unnecessary Federal supervision.

Paperwork Reduction Act of 1995

This notice of final waiver and extension of the project period does not contain any information collection requirements.

Accessible Format: On request to the program contact person listed under FOR FURTHER INFORMATION CONTACT, individuals with disabilities can obtain this document in an accessible format. The Department will provide the requestor with an accessible format that may include Rich Text Format (RTF) or text format (txt), a thumb drive, an MP3 file, braille, large print, audiotape, or compact disc, or other accessible format.

Electronic Access to This Document: The official version of this document is the document published in the *Federal Register*. You may access the official edition of the *Federal*

Register and the Code of Federal Regulations via the Federal Digital System at: www.govinfo.gov. You may also access documents of the Department published in the *Federal Register* by using the article search feature at: www.federalregister.gov.

Kirsten Baesler,

Assistant Secretary, Office of Elementary and Secondary Education

[FR Doc. 2026-17353 Filed: 8/24/2026 8:45 am; Publication Date: 8/25/2026]